

SO ORDERED.



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Dated: March 11, 2010

CHARLES G. CASE, II
U.S. Bankruptcy Judge

JOSEPH W. CHARLES
State Bar No. 003038
Attorney for Debtor/Plaintiff

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA**

IN RE:

SHARA D. ROSE,

Debtor.

SHARA D. ROSE,

Plaintiff,

vs.

BANK OF AMERICA HOME LOANS,
Defendant; and RUSSELL BROWN,
CHAPTER 13 TRUSTEE

Chapter 13 Proceedings

Adversary No. 2:09-ap-01722-CGC

Case No. 2:09-bk-30068-CGC

JUDGMENT

RE: Real Property Located at
11555 North 153rd Drive
Lot #297 Rancho Gabriela
Phase 3 MCR 595-50
Surprise, Arizona 85379

THE COURT having reviewed the Court file, and being duly advised in the premises,

IT IS ORDERED THAT Judgment is granted in favor of the Debtor/Plaintiff.

IT IS FURTHER ORDERED THAT Defendant's lien on real property located at 11555 North 153rd Drive, Surprise, Arizona, 85379, and legally described as follows:

1 LOT 297, OF RANCHO GABRIELA, PHASE 3,
2 ACCORDING TO THE PLAT OF RECORD IN THE
3 OFFICE OF THE COUNTY RECORDER OF
MARICOPA COUNTY, ARIZONA, RECORDED IN
BOOK 595 OF MAPS, PAGE 50.

4 be stripped and rendered void subject to the provisions herein;

5 IT IS FURTHER ORDERED THAT Defendant's account #126518054 is a
6 general unsecured, non-priority lien;
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8 IT IS FURTHER ORDERED THAT upon discharge of Debtor/Plaintiff
9 Chapter 13 proceeding, Defendant shall provide a release of lien on the real
10 property to the Debtor within thirty (30) days of the date of the order granting
11 discharge;
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13 IT IS FURTHER ORDERED THAT Defendant file notice with the appropriate
14 County Records Office of the release of said lien;

15 IT IS FURTHER ORDERED THAT the entire claim of Defendant shall be
16 treated as a general unsecured claim and shall share in any unsecured proceeds;

17 IT IS FURTHER ORDERED THAT Defendant's lien shall remain in place
18 until Debtor/Plaintiff completes the Chapter 13 Plan and is granted a discharge;
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20 IT IS FURTHER ORDERED THAT Defendant's lien shall remain in place
21 and Defendant's debt shall remain secured should the subject property be sold or
22 should a refinance take place prior to Plan completion and entry of Discharge;

23 IT IS FURTHER ORDERED THAT Defendant's lien shall remain in place
24 and Defendant's debt shall remain secured should Debtor case be dismissed or
25 converted to another Chapter; and
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1 IT IS FURTHER ORDERED THAT each of the parties will bear their own
2 costs and expenses associated with this action.

3 DATED this _____ day of _____, 2010.
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7 _____
8 Honorable Charles G. Case II
9 United States Bankruptcy Court Judge
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